IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION

Charles Benjamin,	)	
	)	
Plaintiff,	)	**ORDER**
	)	
vs.	)	
	)	
Ward County, et. al.,	)	Case No. 4:12-cv-028
	)	
Defendants.	)	

The plaintiff, Charles Benjamin ("Benjamin"), initiated the above-entitled action pro se on March 20, 2012, claiming that defendants were deliberately indifferent to his serious medical needs while he was in their custody in June 2012. He subsequently filed what were styled as motions for discovery (Docket Nos. 43, 47-48, 74-75), a motion for an extension of time to complete discovery (Docket No. 49), a motion for summary judgment (Docket No. 55), motions to amend his complaint to add claims for punitive damages (Docket No. 56-57), a motion requesting the issuance of preliminary and permanent injunctions (Docket No. 73), and a "motion to ame[n]d motions" (Docket No. 77). Meanwhile, defendants file their own motion for summary judgment (Docket No. 51).

Since parties filed their respective motions, the court has issued orders appointing counsel to represent Benjamin in this action, suspending all scheduling deadlines, and cancelling the final pretrial conference and trial. (Docket Nos. 79-81). It has also held a status conference with the parties to discuss their preparation and submission of a revised scheduling and discovery plan.

Given the present posture of this case coupled with the fact that Benjamin did not have the benefit of counsel's input when conducting initial discovery and preparing his aforementioned motions, the court is inclined to wipe the slate clean. Accordingly, the court shall **DENY** the

parties' pending motions (Docket Nos. 43, 47, 48, 49, 51, 55, 56, 57, 73, 74, 75, and 77)

WITHOUT PREJUDICE. The parties may refile their motions as they deem appropriate,

incorporating by reference any exhibits or attachments already on file with the court.

    IT IS SO ORDERED.

    Dated this 5th day of November, 2013.

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/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court

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